

SENT VIA EMAIL

September 8, 2014

Lamoin Werlein-Jaen
Business Agent
IFPTE Local 21

John Mukhar
President
Association of Engineers and Architects (AEA)
IFPTE Local 21

Steve Contreras
President
Association of Maintenance Supervisory
Personnel (AMSP), IFPTE Local 21

Kara Capaldo
President
City Association of Management Personnel
(CAMP), IFPTE Local 21

Jim Unland
President
San Jose Police Officers' Association (SJPOA)

Joel Phelan
President
San Jose Fire Fighters, IAFF, Local 230

Yolanda Cruz
President
Municipal Employees' Federation (MEF)
AFSCME Local 101

LaVerne Washington
President
Confidential Employees' Organization (CEO),
AFSCME Local 101

Peter Fenerin
President
Association of Building, Mechanical and
Electrical Inspectors (ABMEI)

Mary Blanco
Business Representative
International Union of Operating Engineers,
Local No. 3 (OE#3)

Sal Ventura
Assistant Business Manager
International Brotherhood of Electrical
Workers, Local No. 332 (IBEW)

Vera Todorov
President
Association of Legal Professionals (ALP)

Charles Allen
Business Agent
AFSCME Local 101

Frank Crusco
Chief Steward
International Brother of Electrical Works, Local
No. 332 (IBEW)

Re: Public Labor Negotiations

Dear Bargaining Unit Representatives:

On July 2, 2014, we contacted all bargaining units regarding a potential ballot measure for the November 2014 election mandating that all labor negotiations be open to the public through a City Charter amendment. At that time, we provided you with draft ballot measure language for your review

and comment. Some bargaining units were not in favor of public negotiations while others were generally not opposed to the idea of public labor negotiations; however, there was opposition in mandating such a requirement through a City Charter amendment.

On August 5, 2014, the City Council did not move forward with the proposed ballot measure but, after some discussion, directed staff to continue to meet and confer with bargaining units regarding mandating all labor negotiations be open to the public through an ordinance instead of a City Charter amendment. However, after further consideration, the City Council has directed staff to continue discussing the issue of public negotiations as part of the ground rules discussions at the beginning of each bargaining process. This means a discussion with each particular bargaining unit regarding their interest in having negotiations open to the public.

The issue of transparency is an issue that has been raised before and is one that the City takes very seriously. Consistent with its philosophy of open government, the City is committed to providing as much information to the public as possible about labor negotiations. To that end, the City provides an unprecedented amount of labor relations information to the public. This includes any correspondence exchanged between the City and the bargaining units. In addition, during labor negotiations, all proposals made by the City and each bargaining unit are posted on the City's website after they are exchanged. When a Tentative Agreement is reached with a bargaining unit, the entire Tentative Agreement, as well as any City Council memorandum related to that agreement, is made available to the public at least seven to ten days before the City Council takes any action to approve it. These steps afford the opportunity for the public to be aware of proposals either the City or the bargaining units are making prior to any agreement being reached.

Regardless of whether or not the negotiations themselves are open to the public, the City remains committed to ensuring that the public remains informed about labor relations issues, and the City will continue to make publicly available correspondence, proposals, and agreements reached and exchanged between the City and its bargaining units.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alex Gurza', with a long horizontal stroke extending to the right.

Alex Gurza
Deputy City Manager

c: Jennifer Schembri, Deputy Director of Employee Relations